

**CITY OF CLEWISTON  
Regular Commission Meeting  
July 15, 2013**

The City of Clewiston City Commission held its regular Commission meeting in the City Hall Commission Chambers Monday, July 15, 2013. The meeting was called to order at 5:00 p.m. by Mayor Phillip Roland. Commissioner Pittman led the audience in the Lord's Prayer and the Pledge of Allegiance.

**Attendance:**

**Commissioners Present:** Mayor Phillip Roland, Commissioner Mali Gardner, Commissioner Richard Miller, Commissioner James Pittman, and Commissioner Julio Rodriguez.

**Personnel Present:** City Manager Al Perry, Finance Director Ted Byrd, Police Chief Don Gutshall, City Clerk Marilyn McCorvey, Library Director Ava Barrett, Golf Course Superintendent Ronnie Ford, Recreation Director Lance Ramer, Community Development Director Travis Reese, City Attorney Charles Schoech, and City Engineer Tommy Perry.

**Visitors Present:** Jerry Cochran, Asa & Betty Godsey, Mike Pittman, Paula Pittman, and Jonathan Strykes.

**ADDITIONS/DELETIONS/CHANGES TO THE AGENDA** – City Manager Perry asked that the appointment to the Golf Advisory Board be added as Agenda Item No. 4-a and City Attorney Schoech stated the ATS contract amendment should be discussed with Agenda Item No. 2

**1. Consent Agenda**

- A. *City Commission Minutes – June 17, 2013*
- B. *City Commission Workshop Minutes – June 13, 2013*
- C. *Request from Police Chief Gutshall to take \$1900 from the Fine & Forfeiture Account to use as discretionary undercover drug buy funding.*

**Commissioner Gardner made a motion, seconded by Commissioner Pittman, to approve the consent agenda. Vote 5 yeas, 0 nays.**

**PUBLIC HEARING**

- 2. Ordinance No. 2013-04 – Final Reading** – The first reading of this ordinance was on June 17. This is the second and final reading of this ordinance which designates the City's Code Enforcement Special Magistrate to serve as the Local Hearing Officer over red light camera infractions. Mayor Roland asked for any comments from the audience or the Commission. City Manager Perry read Ordinance No. 2013-04 by title and stated the official notice of the public hearing was advertised in the Clewiston News on June 27, 2013. There being no comments, Mayor Roland closed the public hearing.

**Commissioner Pittman made a motion, seconded by Commissioner Gardner, to approve Ordinance No. 2013-04 on second and final reading. Vote 5 yeas, 0 nays.**

City Attorney Schoech explained the changes made in the ATS Contract Amendment and stated the changes are a result of new State law and he recommended approval.

**Commissioner Gardner made a motion, seconded by Commissioner Pittman, to approve the ATS contract amendment. Vote 5 yeas, 0 nays.**

**ORDINANCE**

- 3. Ordinance No. 2013-05 – First Reading** – The legal review and code revisions have been completed and this ordinance is needed to adopt and enact the revised code. City Manager Perry read Ordinance No. 2013-05 by title.

**Commissioner Pittman made a motion, seconded by Commissioner Gardner, to approve Ordinance No. 2013-05 on first reading and set the public hearing on August 19, 2013. Vote 5 yeas, 0 nays.**

- 4. Active Citizens for Children Request for Funds -** The ACFC has asked that the City consider a donation to the Sweetest Town Playground. The ACFC is approximately \$19,000 short of their goal to begin construction of the park. The Commission discussed this item and made the determination that they will again look at the possibility of a donation when the upcoming budget is completed.

**No action was taken on this item.**

- 4-a.** Due to the resignation of Brandon Pena from the Golf Advisory Board, Commissioner Miller stated he would like to appoint Fred Thomas to replace him. There were no objections to the appointment. Commissioner Pittman asked for an update on the Golf Advisory Board's recommendations at the next meeting.

- 5. Departmental Monthly Reports –** Presented by information only.

**PUBLIC COMMENTS -** At this time, any person will be allowed to speak on any matter that pertains to City business. State Representative Matt Hudson stated he would like to update the Commission on things that happened during the Legislative session. He stated the main two bills that were passed were (1) a bill that will lower the worker's compensation for every employer in the State and (2) a bill that amended a previous program on voluntary health services. Representative Hudson stated that health care practitioners can now volunteer in needed places to get CEU points and it is now easier for retired physicians to get licenses in Florida. Representative Hudson stated he attended the Governor's "boot camp" and thought there was a very good exchange of ideas at the meeting. He stated that he will continue to work on getting the AirGlades project funded.

Police Chief Gutshall stated that La Fiesta has again requested that the requirement for security at their establishment be waived for July and August. He stated they have few patrons in the summer and there have been no major problems there. The consensus of the Commission was to grant the request.

Library Director Barrett stated she has been working on a grant application for Southwest Florida Community Foundation and has been invited to the third level. Ms. Barrett would like to bring a power point to the Commission to show what they are working on for the City and County, specifically for economic growth and employability skills for residents.

EDC President Gregg Gillman stated he wanted to recognize Representative Matt Hudson's work and stated that he has gotten the Governor to Hendry County more than once. Mr. Gillman stated he will be traveling to Tallahassee on July 30 to talk about Hendry County and the AirGlades project. He also stated that the broadband project that City Manager Perry has been working on is very important.

**REPORT FROM FINANCE DIRECTOR -** Finance Director Byrd stated he needs to turn in the Form DR-420 to the County by August 1 setting a proposed millage rate. The Commission discussed their desire not to raise taxes, but were dismayed that they did not have more budget information before the decision had to be made. Jerry Cochrane stated he felt it incomprehensible to set the millage rate without the first budget workshop.

**Commissioner Miller made a motion, seconded by Commissioner Gardner, to approve the millage rate for the DR-420 at the current rate of 6.221. Vote 5 yeas, 0 nays.**

**REPORT FROM CITY MANAGER -** City Manager Perry stated that the affordable broadband services for the County are almost finished. The intent of this effort to give affordable service in regions that don't currently get broadband.

**REPORTS FROM THE CITY ATTORNEY -** none

**REPORTS FROM THE CITY COMMISSION** – Commissioner Rodriguez stated his displeasure of the condition of the ally behind Dixie Fried Chicken. He stated that the City had just paved the ally and Florida City Gas has made cuts throughout the ally and it is currently in terrible condition. Commissioner Rodriguez asked Public Works Director Scheffler to contact Florida City Gas and convey our displeasure of the condition of the ally.

Commissioner Pittman stated he wanted the City to move into the advertising phase of hiring a Utilities Director.

**Commissioner Pittman made a motion, seconded by Commissioner Miller, to “unfreeze” the Utilities Director position and move into the advertising phase. Vote 5 yeas, 0 nays.**

Commissioner Pittman stated the Charter requires that the City Manager give the Commission notice of hiring or firing a director. Commissioner Pittman stated he felt the intent of the Charter is to give the Commissioners ample time to discuss terminations or hiring of directors before moving forward.

Commissioner Pittman stated that our citizens have come to him and are very concerned about the possibility of dismantling the Police Department. He stated that he wanted to put their fears to rest because the Police Department is not going anywhere. Commissioner Pittman stated the possibility has caused a lot of turmoil in the Police Department and the citizens. Commissioner Rodriguez agreed and recommended the item be put on the agenda so our citizens will know when it is going to be discussed and can come and make comments. Commissioner Gardner stated this has to be a process and she does not see anything happening this year. City Manager Perry stated it has not been on the agenda because he has not received some needed information. Commissioner Miller stated the Police Department is a chartered department and he is not in favor of moving away from our Police Department. He further stated that he thinks it peculiar that it has been in the newspaper twice and the Commission has not even discussed it. Mayor Roland stated that this will not happen immediately but when you talk about \$600,000 to \$1M in savings, it gets people’s attention. Mayor Roland stated the Police Department and Sheriff’s Department need to work together, but he does think that communications should be merged. Commissioner Gardner agreed that we need to look at every area of the City, not only the Police Department, and she would welcome looking at the possible consolidation of the communications function.

Sandra Hare stated she appreciated Commissioner Pittman’s comments because she thought the City would be voting on the police issue in October. Ms. Hare asked who answers her 911 calls. Chief Gutshall explained that an automatic system routes calls made within the City to the Police Department and calls made in the county to the Sheriff’s Department. Ms. Hare stated the Police Department has been very attentive to her personal and business concerns, but she would like for the Police Department to pay attention to their budget. She asked why the Police Department needed so many cars, but stated there has to be a way to trim costs without doing away with the Police Department.

Brenda Gann stated she thinks we would be making a big mistake combining the Police Department and Sheriff’s Department. She stated it makes no sense to her as the crime rate seems low and there must be a reason for that.

Mayor Roland stated that if we go forward in considering this move, we will have workshops and meetings for the public to attend.

**ADJOURNMENT – 7:05 p.m.**

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Phillip Roland, Mayor

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Marilyn McCorvey, City Clerk